

FOR PUBLICATION

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN

APPELLATE DIVISION

MARIO SKELTON,)	
)	D.C. CRIM. APP. NO. 92-120
Appellant,)	
)	T.C. CRIM. NO. F155-92
v.)	
)	
GOVERNMENT OF THE VIRGIN ISLANDS))	
)	
Appellee.)	
_____)	

On Appeal from the Territorial Court of the Virgin Islands
Argued: April 6, 1994
Filed: April 11, 1994

BEFORE: **THOMAS K. MOORE**, Chief Judge, District Court of the Virgin Islands; **JAMES T. GILES**, Judge of the United States District Court for the Eastern District of Pennsylvania, Sitting by Designation; and **JULIO A. BRADY**, Judge of the Territorial Court of the Virgin Islands, St. Croix Division, Virgin Islands, Sitting by Designation.

APPEARANCES:

Victor G. Schneider, Chief
Territorial Public Defender
8191 Subbase, Suite #16
P.O. Box 6040
St. Thomas, V.I. 00801
Attorney for Appellant

Elliot M. Davis, Esq., Asst. Atty. General
V.I. Department of Justice
8050 Kronprindens Gade
Suite #1
St. Thomas, V.I. 00802
Attorney for Appellee

JUDGMENT OF THE COURT

This matter is before the Court on appeal from the Territorial Court of the Virgin Islands, having been orally argued on April 6, 1994. Appellant challenges the Territorial Court's jurisdiction over the prosecution of appellant's criminal acts. After due consideration,

IT IS on this 11 day of April, 1994, hereby **ORDERED AND ADJUDGED** that the judgment of the Territorial Court is **AFFIRMED**¹.

FOR THE COURT:

_____/s/_____
THOMAS K. MOORE, CHIEF JUDGE
DISTRICT COURT OF THE VIRGIN ISLANDS

A T T E S T:
ORINN F. ARNOLD
Clerk of the Court

1. Appellant failed to show how the transfer of jurisdiction over crimes wherein the maximum sentence was five to fifteen years did not vest in the Territorial Court, and if it did, that Act 5206 intended to divest the Territorial Court of such jurisdiction. See Act of Sept. 9, 1976, No. 3876, §2(b), 1976 V.I. Sess. Laws 189; Act of Feb. 1, 1985, No. 5040, § 3, 1984 V.I. Sess. Laws 464; Act of Mar. 1, 1985, No. 5045, 1985 V.I. Sess. Laws 3; Act of Oct. 14, 1986, No. 5206, § 107, 1986 V.I. Sess. Laws 236; Act of Sept. 23, 1991, No. 5719, 1991 V.I. Sess. Laws 58. The Government's criminal action against appellant commenced after jurisdiction passed to the Territorial Court.

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BY: _____
Deputy Clerk

Copies to: Victor G. Schneider, Territorial Public Defender
Elliot M. Davis, Esq., Asst. Atty. General
Verne A. Hodge, Presiding Judge of the Territorial
Court
Lori Gilmore, Esq.
C. Francis